IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 51501-M of 2006

DATE OF DECISION : 28.10.2006

Bali Mohammad

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Rakesh Bhatia, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

* * *

Petitioner Bali Mohammad, apprehending his arrest in a non-bailable offence in case FIR No. 131 dated 1.8.2006 under Sections 406, 420, 120-B IPC, registered at Police Station Samrala, District Ludhiana, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR.

It is case of the petitioner that as per prosecution version, the petitioner has not received the amount, but only on his asking, the complainant has paid the amount to his co-accused Jagdev Singh. The bail application of said Jagdev Singh has been dismissed. Counsel for the petitioner contends that as far as the petitioner is concerned, he is not the main accused and he has joined investigation. This fact has not been disputed by the State Counsel.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated September 04, 2006, is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 28, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**